

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

W.P.No.6562 of 2017

&

WMP.No.7037 of 2017

Mrs.S.Jareena

... Petitioner

Versus

1. State Rep.by the Secretary
Revenue Department,
Tamil Nadu Secretariat
St. Fort George,
Chennai 600 009.
2. The District Collector
Tiruvallur District,
O/o.The District Collector
Tiruvallur, Pin 602 001.
3. The Revenue Divisional Officer
Tiruttani Division, Tiruttani
Tiruvallur District Pin 631 209.
4. The Tahsildar
Taluk Office, Pallipattu
Tiruvallur District Pin 631 207.
5. Mr.Sheikh Ibrahim Ismail

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorarified mandamus calling for the records pertaning to the order passed by the 4th respondent in Na.Ka.No.14072/2013/A9 dated 25.08.2015 and quash the same and consequently, direct the 4th respondent to issue patta in respect of property bearing S.No.115/11 to the extent of 18 ½ cents in favour of the petitioner.

For Petitioner : Mr.M.Jaikumar

For RR 1 to 4 : Mr.R.S.Selvam,
Government Advocate

ORDER

By consent, the writ petition is taken up for final disposal. Mr.R.S.Selvam, learned Government Advocate accepts notice on behalf of the respondents 1 to 4.

2. The petitioner claims that the agricultural lands comprised in Survey No.115/11 admeasuring to an extent of 18 ½ cents ; lands admeasuring to an extent of 0.46 cents in S.No.115/6A1 and lands admeasuring to an extent of 0.34 cents in S.No.115/6A2, aggregating to 98 ½ cents situate in Thalavaipattadai Village, Pallipattu, Tiruvallur District, were settled in his favour by his parents, through a registered Settlement Deed bearing Document NO.399/2006 dated 06.06.2006 on the file of the office of the Sub Registrar, Pallipattu. The petitioner would further aver that the 4th respondent, vide proceedings / order dated 25.08.2015 in Na.Ka.No.14072/2013/A9, based on the representation of the petitioner dated 12.07.2013, has cancelled the sub-division done as per the order dated 27.06.2003 in TK8A/74/1412 and restored to the old position in terms of the earlier proceedings dated 06.11.2002 in TK8A/21/1412 in respect of the lands admeasuring to an extent of 0.07.5 ares in S.NO.115/11. The petitioner, challenging the legality of the said order, submitted a representation dated 30.08.2016 to the respondents 1 to 3 and in spite of receipt and acknowledgment, so far no orders have been passed and hence, came forward to file this writ petition.

3. Heard the learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate appearing for the respondents 1 to 4.

4. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 3rd respondent to entertain the representation/appeal dated 30.08.2016 submitted by the petitioner, if the papers are otherwise in order and thereafter, put the 5th respondent on notice and consider and dispose of the petitioner's appeal memorandum/representation dated 30.08.2016 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the 5th respondent herein.

5. The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary
Revenue Department,
Tamil Nadu Secretariat
St. Fort George,
Chennai 600 009.
2. The District Collector
Tiruvallur District,
O/o.The District Collector
Tiruvallur, Pin 602 001.
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Tiruttani Division, Tiruttani
Tiruvallur District Pin 631 209.
4. The Tahsildar
Taluk Office, Pallipattu
Tiruvallur District Pin 631 207.

+1cc to Mr.M.Jai Kumar, Advocate, S.R.No.16815
+1cc to the Government Pleader, S.R.No.17062

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SAI (CO)
CA(07/04/2017)

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